

“(b) CONTRACTS AND AGREEMENTS.—The Service is authorized to enter into any contract or agreement for the use of telemedicine with a public or private university or facility, including a medical university or facility, or any private medical or behavioral health professional, with experience relating to pediatrics, including the diagnosis and treatment of child abuse, to assist the Service with respect to—

“(1) the diagnosis and treatment of child abuse; or

“(2) methods of training Service personnel in diagnosing and treating child abuse.

“(c) ADMINISTRATION.—In carrying out subsection (b), the Service shall, to the maximum extent practicable—

“(1) use existing telemedicine infrastructure; and

“(2) give priority to Service units and medical facilities operated pursuant to grants, contracts, or compacts under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) that are located in, or providing service to, remote areas of Indian country.

“(d) INFORMATION AND CONSULTATION.—On receipt of a request, for purposes of this section, the Service may provide to public and private universities and facilities, including medical universities and facilities, and medical or behavioral health professionals described in subsection (b) any information or consultation on the treatment of Indian children who have, or may have, been subject to abuse or neglect.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2007 through 2011.”.

#### SEC. 12. CONFORMING AMENDMENTS.

(a) OFFENSES COMMITTED WITHIN INDIAN COUNTRY.—Section 1153(a) of title 18, United States Code, is amended by inserting “felony child abuse, felony child neglect,” after “robbery,”.

(b) REPORTING OF CHILD ABUSE.—Section 1169 of title 18, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by inserting “or volunteering for” after “employed by”;

(B) in subparagraph (D)—

(i) by inserting “or volunteer” after “child day care worker”; and

(ii) by striking “worker in a group home” and inserting “worker or volunteer in a group home”;

(C) in subparagraph (E), by striking “or psychological assistant,” and inserting “psychological or psychiatric assistant, or person employed in the mental or behavioral health profession”;

(D) in subparagraph (F), by striking “child” and inserting “individual”;

(E) by striking subparagraph (G), and inserting the following:

“(G) foster parent; or”; and

(F) in subparagraph (H), by striking “law enforcement officer, probation officer” and inserting “law enforcement personnel, probation officer, criminal prosecutor”; and

(2) in subsection (c), by striking paragraphs (3) and (4) and inserting the following:

“(3) ‘local child protective services agency’ has the meaning given the term in section 403 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202); and

“(4) ‘local law enforcement agency’ has the meaning given the term in section 403 of that Act.”.

#### PRESERVING EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 559, S. 2068.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2068) to preserve existing judgeships on the Superior Court of the District of Columbia.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2068) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2068

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. COMPOSITION OF SUPERIOR COURT.

Section 903 of title 11 of the District of Columbia Code is amended by striking “fifty-eight” and inserting “61”.

#### PETS EVACUATION AND TRANSPORTATION STANDARDS ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 3858 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3858) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4881) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Pets Evacuation and Transportation Standards Act of 2006”.

#### SEC. 2. STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL PLANS.

Section 613 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL PLANS.—In approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), the Director shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency.”.

#### SEC. 3. EMERGENCY PREPAREDNESS MEASURES OF THE DIRECTOR.

Section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196) is amended—

(1) in subsection (e)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) plans that take into account the needs of individuals with pets and service animals prior to, during, and following a major disaster or emergency.”; and

(2) in subsection (j)—

(A) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) The Director may make financial contributions, on the basis of programs or projects approved by the Director, to the States and local authorities for animal emergency preparedness purposes, including the procurement, construction, leasing, or renovating of emergency shelter facilities and materials that will accommodate people with pets and service animals.”.

#### SEC. 4. PROVIDING ESSENTIAL ASSISTANCE TO INDIVIDUALS WITH HOUSEHOLD PETS AND SERVICE ANIMALS FOLLOWING A DISASTER.

Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended—

(1) in subparagraph (H), by striking “and” at the end;

(2) in subparagraph (I), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(J) provision of rescue, care, shelter, and essential needs—

“(i) to individuals with household pets and service animals; and

“(ii) to such pets and animals.”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3858), as amended, was read the third time and passed.

#### VETERANS' CHOICE OF REPRESENTATION ACT OF 2006

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 540, S. 2694.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2694) to amend title 38, United States Code, to remove certain limitations on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Veterans' Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans’ Choice of Representation and Benefits Enhancement Act of 2006”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—VETERANS’ REPRESENTATION**

Sec. 101. Attorney representation in veterans benefits cases before the Department of Veterans Affairs.

**TITLE II—MEMORIAL AFFAIRS**

Sec. 201. Eligibility of Indian tribal organizations for grants for the establishment of veterans cemeteries on trust lands.

Sec. 202. Removal of remains of Russell Wayne Wagner from Arlington National Cemetery.

Sec. 203. Provision of government markers for marked graves of veterans at private cemeteries.

**TITLE III—EDUCATION MATTERS**

Sec. 301. Expansion of education programs eligible for accelerated payment of educational assistance under the Montgomery GI bill.

Sec. 302. Accelerated payment of survivors’ and dependents’ educational assistance for certain programs of education.

Sec. 303. Reimbursement of expenses for State approving agencies in the administration of educational benefits.

Sec. 304. Modification of requirement for reporting on educational assistance program.

**TITLE IV—HEALTH MATTERS**

Sec. 401. Parkinson’s Disease Research, Education, Clinical Centers, and Multiple Sclerosis Centers of Excellence.

Sec. 402. Repeal of term of office for the Under Secretary for Health and the Under Secretary for Benefits.

Sec. 403. Modifications to existing State home authorities.

Sec. 404. Office of Rural Health.

Sec. 405. Pilot program on improvement of caregiver assistance services.

**TITLE V—HOMELESS VETERANS ASSISTANCE**

Sec. 501. Reaffirmation of National goal to end homelessness among veterans.

Sec. 502. Sense of Congress on the response of the Federal Government to the needs of homeless veterans.

Sec. 503. Authority to make grants for comprehensive service programs for homeless veterans.

Sec. 504. Extension of treatment and rehabilitation for seriously mentally ill and homeless veterans.

Sec. 505. Extension of authority for transfer of properties obtained through foreclosure of home mortgages.

Sec. 506. Extension of funding for grant program for homeless veterans with special needs.

Sec. 507. Extension of funding for homeless veteran service provider technical assistance program.

Sec. 508. Additional element in annual report on assistance to homeless veterans.

Sec. 509. Advisory committee on homeless veterans.

Sec. 510. Rental assistance vouchers for Veterans Affairs supported housing program.

Sec. 511. Financial assistance for supportive services for very low-income veteran families in permanent housing.

**TITLE VI—MISCELLANEOUS BENEFITS**

Sec. 601. Residential cooperative housing units.

Sec. 602. Increase in supplemental insurance for totally disabled veterans.

Sec. 603. Reauthorization of use of certain information from other agencies.

Sec. 604. Clarification of correctional facilities covered by certain provisions of law.

**TITLE I—VETERANS’ REPRESENTATION**

**SEC. 101. ATTORNEY REPRESENTATION IN VETERANS BENEFITS CASES BEFORE THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) **QUALIFICATIONS AND STANDARDS OF CONDUCT FOR INDIVIDUALS RECOGNIZED AS AGENTS OR ATTORNEYS.**—

(1) **ADDITIONAL QUALIFICATIONS AND STANDARDS FOR AGENTS AND ATTORNEYS GENERALLY.**—Subsection (a) of section 5904 of title 38, United States Code, is amended—

(A) by inserting “(1)” after “(a)”;

(B) by striking the second sentence; and

(C) by adding at the end the following new paragraphs:

“(2) The Secretary may prescribe in regulations qualifications and standards of conduct for individuals recognized under this section, including a requirement that, before being recognized, an individual—

“(A) show that such individual is of good moral character and in good repute, is qualified to render claimants valuable service, and is otherwise competent to assist claimants in presenting claims;

“(B) has such level of experience and specialized training as the Secretary shall specify; and

“(C) certifies to the Secretary that the individual has satisfied any qualifications and standards prescribed by the Secretary under this section.

“(3) The Secretary may prescribe in regulations reasonable restrictions on the amount of fees that an agent or attorney may charge a claimant for services rendered in the preparation, presentation, and prosecution of a claim before the Department.

“(4)(A) The Secretary may, on a periodic basis, collect a registration fee from individuals recognized as agents or attorneys under this section.

“(B) The Secretary shall prescribe the amount and frequency of collection of such fees. The amount of such fees may include an amount, as specified by the Secretary, necessary to defray the costs to the Department in recognizing individuals under this section, in administering the collection of such fees, in administering the payment of fees under subsection (d), and in conducting oversight of agents or attorneys.

“(C) Amounts so collected shall be deposited in the account from which amounts for such costs were derived, merged with amounts in such account, and available for the same purpose, and subject to the same conditions and limitations, as amounts in such account.”

(2) **APPLICABILITY TO REPRESENTATIVES OF VETERANS SERVICE ORGANIZATIONS.**—Section 5902(b) of such title is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by inserting “(1)” after “(b)”;

(C) by adding at the end the following new paragraph:

“(2) An individual recognized under this section shall be subject to the provisions of section 5904(b) of this title on the same basis as an individual recognized under section 5904(a) of this title.”

(3) **APPLICABILITY TO INDIVIDUALS RECOGNIZED FOR PARTICULAR CLAIMS.**—Section 5903 of such title is amended—

(A) by inserting “(a) **IN GENERAL.**—” before “The Secretary”;

(B) by adding at the end the following new subsection:

“(b) **SUSPENSION.**—An individual recognized under this section shall be subject to the provisions of section 5904(b) of this title on the same basis as an individual recognized under section 5904(a) of this title.”

(b) **ADDITIONAL BASES FOR SUSPENSION OF INDIVIDUALS.**—Subsection (b) of section 5904 of such title is amended—

(1) in paragraph (4), by striking “or” at the end;

(2) in paragraph (5), by striking the period and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(6) has presented frivolous claims, issues, or arguments to the Department; or

“(7) has failed to comply with any other condition specified by the Secretary in regulations prescribed by the Secretary for purposes of this subsection.”

(c) **REPEAL OF LIMITATION ON HIRING AGENTS OR ATTORNEYS.**—Subsection (c) of section 5904 of such title is amended by striking paragraph (1).

(d) **MODIFICATION OF REQUIREMENTS TO FILE ATTORNEY FEE AGREEMENTS.**—Such subsection is further amended—

(1) by redesignating paragraph (2) as paragraph (1); and

(2) in that paragraph, as so redesignated—

(A) by striking “in a case referred to in paragraph (1) of this subsection”;

(B) by striking “after the Board first makes a final decision in the case”;

(C) by striking “with the Board at such time as may be specified by the Board” and inserting “with the Secretary pursuant to regulations prescribed by the Secretary”; and

(D) by striking the second and third sentences.

(e) **ATTORNEY FEES.**—Such subsection is further amended by inserting after paragraph (1), as redesignated by subsection (d)(1) of this section, the following new paragraph (2):

“(2)(A) The Secretary, upon the Secretary’s own motion or at the request of the claimant, may review a fee agreement filed pursuant to paragraph (1) and may order a reduction in the fee called for in the agreement if the Secretary finds that the fee is excessive or unreasonable.

“(B) A finding or order of the Secretary under subparagraph (A) may be reviewed by the Board of Veterans’ Appeals under section 7104 of this title.”

(f) **REPEAL OF PENALTY FOR CERTAIN ACTS.**—Section 5905 of such title is amended by striking “(1)” and all that follows through “(2)”.

(g) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall take effect six months after the date of the enactment of this Act.

(2) **REGULATIONS.**—The Secretary shall prescribe the regulations, if any, to be prescribed under the amendments made by subsection (a) not later than the date specified in paragraph (1).

(3) **CLAIMS.**—The amendments made by subsections (b), (c), (d), and (e) shall apply to claims submitted on or after the date specified in paragraph (1).

**TITLE II—MEMORIAL AFFAIRS**

**SEC. 201. ELIGIBILITY OF INDIAN TRIBAL ORGANIZATIONS FOR GRANTS FOR THE ESTABLISHMENT OF VETERANS CEMETERIES ON TRUST LANDS.**

Section 2408 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(f)(1) The Secretary may make grants under this subsection to any tribal organization to assist the tribal organization in establishing, expanding, or improving veterans’ cemeteries on trust land owned by, or held in trust for, the tribal organization.

“(2) Grants under this subsection shall be made in the same manner, and under the same

conditions, as grants to States are made under the preceding provisions of this section.

“(3) In this subsection:

“(A) The term ‘tribal organization’ has the meaning given that term in section 3765(4) of this title.

“(B) The term ‘trust land’ has the meaning given that term in section 3765(1) of this title.”.

**SEC. 202. REMOVAL OF REMAINS OF RUSSELL WAYNE WAGNER FROM ARLINGTON NATIONAL CEMETERY.**

(a) FINDINGS.—Congress makes the following findings:

(1) Arlington National Cemetery is a National Shrine that memorializes the honorable service of men and women who have defended the freedoms that all the people of the United States enjoy.

(2) The inclusion among the honored dead of the remains of persons who have committed particularly notorious, heinous acts brings dishonor to the deceased and disrespect to their loved ones.

(3) The removal of the remains of a person who has committed a heinous act would not be an act of punishment against that person, but rather an act that would preserve the sacredness of cemetery grounds.

(4) In November of 1997, section 2411 of title 38, United States Code, was enacted to, among other things, deny burial eligibility in Arlington National Cemetery to any person convicted of a State capital crime for which the person was sentenced to death or life imprisonment without parole. In January of 2006, section 2411 of such title was amended by section 662 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to remove parole eligibility as a loophole through which convicted capital offenders could retain eligibility for interment at Arlington National Cemetery.

(5) According to Arlington National Cemetery officials, the remains of only one capital offender, Russell Wayne Wagner, have been interred in Arlington National Cemetery since November of 1997.

(b) REMOVAL OF REMAINS.—

(1) REMOVAL.—The Secretary of the Army shall remove the remains of Russell Wayne Wagner from Arlington National Cemetery.

(2) NOTIFICATION OF NEXT-OF-KIN.—The Secretary of the Army shall—

(A) notify the next-of-kin of record for Russell Wayne Wagner of the impending removal of his remains; and

(B) upon removal, relinquish the remains to the next-of-kin of record for Russell Wayne Wagner or, if the next-of-kin of record for Russell Wayne Wagner is unavailable, arrange for an appropriate disposition of the remains.

**SEC. 203. PROVISION OF GOVERNMENT MARKERS FOR MARKED GRAVES OF VETERANS AT PRIVATE CEMETERIES.**

(a) IN GENERAL.—Section 502(d) of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103; 38 U.S.C. 2306 note), as amended by section 203 of the Veterans Benefits Act of 2002 (Public Law 107-330), is amended by striking “September 11, 2001” and inserting “November 1, 1990”.

(b) REPEAL OF EXPIRATION OF AUTHORITY.—Subsection (d) of section 2306 of title 38, United States Code, is amended by striking paragraph (3).

(c) PROVISION OF HEADSTONE OR MARKER.—

(1) IN GENERAL.—Subsection (d) of such section 2306 is further amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking “Government marker” and inserting “Government headstone or marker”; and

(ii) in the second sentence, by inserting “headstone or” before “marker” each place it appears; and

(B) in paragraph (2), by inserting “headstone or” before “marker”.

(2) CONFORMING AMENDMENT.—Subsection (g)(3) of such section 2306 is amended by inserting “headstone or” before “marker”.

(d) PLACEMENT OF HEADSTONE OR MARKER.—The second sentence of subsection (d)(1) of such section 2306, as amended by subsection (c)(1)(A)(ii) of this section, is further amended by inserting before the period the following: “, or, if placement on the grave is impossible or impracticable, as close as possible to the grave within the grounds of the cemetery in which the grave is located”.

(e) DELIVERY OF HEADSTONE OR MARKER.—Subsection (d)(2) of such section 2306, as amended by subsection (c)(1)(B) of this section, is further amended by inserting before the period the following: “or to a receiving agent for delivery to the cemetery”.

(f) REPEAL OF OBSOLETE REPORT REQUIREMENT.—Subsection (d) of such section 2306 is further amended by striking paragraph (4).

(g) SCOPE OF HEADSTONES AND MARKERS FURNISHED.—Subsection (d) of such section 2306 is further amended by inserting after paragraph (2) the following new paragraph (3):

“(3) In furnishing headstones and markers under this subsection, the Secretary shall permit the individual making the request for a headstone or marker to select among any headstone or marker in the complete product line of Government headstones and markers.”.

(h) RETROACTIVE EFFECTIVE DATE.—The amendments made by subsections (a) through (g) shall take effect as if included in the enactment of section 502 of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103; 115 Stat. 976).

**TITLE III—EDUCATION MATTERS**

**SEC. 301. EXPANSION OF EDUCATION PROGRAMS ELIGIBLE FOR ACCELERATED PAYMENT OF EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL.**

(a) IN GENERAL.—Subsection (b) of section 3014A of title 38, United States Code, is amended by striking paragraph (1) and inserting the following new paragraph (1):

“(1) enrolled in either—

“(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

“(B) an approved program of education lasting less than two years that (as so determined) leads to employment in—

“(i) the transportation sector of the economy; “(ii) the construction sector of the economy; “(iii) the hospitality sector of the economy; or “(iv) the energy sector of the economy.”.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

**“§3014A. Accelerated payment of basic educational assistance”.**

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

“3014A. Accelerated payment of basic educational assistance.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007. Such amendments shall only apply to enrollments that begin on or after such date.

(d) SUNSET.—The amendments made by this section shall expire on September 30, 2011.

**SEC. 302. ACCELERATED PAYMENT OF SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE FOR CERTAIN PROGRAMS OF EDUCATION.**

(a) IN GENERAL.—Subchapter IV of chapter 35 of title 38, United States Code, is amended by inserting after section 3532 the following new section:

**“§3532A. Accelerated payment of educational assistance allowance**

“(a) The educational assistance allowance payable under section 3531 of this title with respect to an eligible person described in subsection (b) may, upon the election of such eligi-

ble person, be paid on an accelerated basis in accordance with this section.

“(b) An eligible person described in this subsection is an individual who is—

“(1) enrolled in either—

“(A) an approved program of education that leads to employment in a high technology occupation in a high technology industry (as determined pursuant to regulations prescribed by the Secretary); or

“(B) an approved program of education lasting less than two years that (as so determined) leads to employment in the—

“(i) transportation sector of the economy;

“(ii) construction sector of the economy;

“(iii) hospitality sector of the economy; or

“(iv) energy sector of the economy; and

“(2) charged tuition and fees for the program of education that, when divided by the number of months (and fractions thereof) in the enrollment period, exceeds the amount equal to 200 percent of the monthly rate of educational assistance allowance otherwise payable with respect to the individual under section 3531 of this title.

“(c)(1) The amount of the accelerated payment of educational assistance payable with respect to an eligible person making an election under subsection (a) for a program of education shall be the lesser of—

“(A) the amount equal to 60 percent of the established charges for the program of education; or

“(B) the aggregate amount of educational assistance allowance to which the individual remains entitled under this chapter at the time of the payment.

“(2) In this subsection, the term ‘established charges’, in the case of a program of education, means the actual charges (as determined pursuant to regulations prescribed by the Secretary) for tuition and fees which similarly circumstanced nonveterans enrolled in the program of education would be required to pay. Established charges shall be determined on the following basis:

“(A) In the case of an individual enrolled in a program of education offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the term, quarter, or semester.

“(B) In the case of an individual enrolled in a program of education not offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the entire program of education.

“(3) The educational institution providing the program of education for which an accelerated payment of educational assistance allowance is elected by an eligible person under subsection (a) shall certify to the Secretary the amount of the established charges for the program of education.

“(d) An accelerated payment of educational assistance allowance made with respect to an eligible person under this section for a program of education shall be made not later than the last day of the month immediately following the month in which the Secretary receives a certification from the educational institution regarding—

“(1) the person’s enrollment in and pursuit of the program of education; and

“(2) the amount of the established charges for the program of education.

“(e)(1) Except as provided in paragraph (2), for each accelerated payment of educational assistance allowance made with respect to an eligible person under this section, the person’s entitlement to educational assistance under this chapter shall be charged the number of months (and any fraction thereof) determined by dividing the amount of the accelerated payment by the full-time monthly rate of educational assistance allowance otherwise payable with respect to the person under section 3531 of this title as

of the beginning date of the enrollment period for the program of education for which the accelerated payment is made.

“(2) If the monthly rate of educational assistance allowance otherwise payable with respect to an eligible person under section 3531 of this title increases during the enrollment period of a program of education for which an accelerated payment of educational assistance allowance is made under this section, the charge to the person’s entitlement to educational assistance under this chapter shall be determined by prorating the entitlement chargeable, in the manner provided for under paragraph (1), for the periods covered by the initial rate and increased rate, respectively, in accordance with regulations prescribed by the Secretary.

“(f) The Secretary may not make an accelerated payment of educational assistance allowance under this section for a program of education with respect to an eligible person who has received an advance payment under section 3680(d) of this title for the same enrollment period.

“(g) The Secretary shall prescribe regulations to carry out this section. The regulations shall include requirements, conditions, and methods for the request, issuance, delivery, certification of receipt and use, and recovery of overpayment of an accelerated payment of educational assistance allowance under this section. The regulations may include such elements of the regulations prescribed under section 3014A of this title as the Secretary considers appropriate for purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of such title is amended by inserting after the item relating to section 3532 the following new item:

“3532A. Accelerated payment of educational assistance allowance.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007. Such amendments shall only apply to enrollments that begin on or after such date.

(d) SUNSET.—The amendments made by this section shall expire on September 30, 2011.

**SEC. 303. REIMBURSEMENT OF EXPENSES FOR STATE APPROVING AGENCIES IN THE ADMINISTRATION OF EDUCATIONAL BENEFITS.**

Section 3674(a) of title 38, United States Code, is amended—

(1) in paragraph (2)(A), by inserting “and is authorized to make additional payments subject to the availability of appropriations,” after “readjustment benefits,”; and

(2) in paragraph (4), by striking the first sentence and inserting “The total amount authorized and available under this section for any fiscal year may not exceed \$19,000,000, except that the total amount made available for purposes of this section from amounts available for the payment of readjustment benefits may not exceed \$19,000,000 for fiscal years 2006 and 2007, \$13,000,000 for fiscal years 2008 and 2009, \$8,000,000 for each of fiscal years 2010 through 2013, and \$13,000,000 for fiscal year 2014 and each subsequent fiscal year.”.

**SEC. 304. MODIFICATION OF REQUIREMENT FOR REPORTING ON EDUCATIONAL ASSISTANCE PROGRAM.**

(a) EXTENSION.—Subsection (d) of section 3036 of title 38, United States Code, is amended by striking “January 1, 2005” and inserting “January 1, 2011”.

(b) DATE OF SUBMITTAL.—Subsection (a) of such section is amended by inserting “, on January 1,” after “two years”.

(c) INTERIM REPORT.—The Secretary of Defense and the Secretary of Veterans Affairs shall each submit to Congress a report containing the information required by section 3036 of title 38, United States Code, not later than six months after the date of the enactment of this Act.

**TITLE IV—HEALTH MATTERS**

**SEC. 401. PARKINSON’S DISEASE RESEARCH, EDUCATION, CLINICAL CENTERS, AND MULTIPLE SCLEROSIS CENTERS OF EXCELLENCE.**

(a) REQUIREMENT FOR ESTABLISHMENT OF CENTERS.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

**“§7329. Parkinson’s disease research, education, and clinical centers and multiple sclerosis centers of excellence**

“(a) DESIGNATION.—The Secretary, upon the recommendation of the Under Secretary for Health and pursuant to the provisions of this section, shall—

“(1) designate—

“(A) at least 6 Department health care facilities as the locations for centers of Parkinson’s disease research, education, and clinical activities and (subject to the appropriation of sufficient funds for such purpose); and

“(B) at least 2 Department health care facilities as the locations for Multiple Sclerosis Centers of Excellence (subject to the appropriation of sufficient funds for such purpose); and

“(2) establish and operate such centers at such locations in accordance with this section.

“(b) EXISTING FACILITIES; GEOGRAPHIC DISTRIBUTION.—In designating locations for centers under subsection (a), the Secretary, upon the recommendation of the Under Secretary for Health, shall—

“(1) designate each Department health care facility that, as of January 1, 2005, was operating a Parkinson’s Disease Research, Education, and Clinical Center or a Multiple Sclerosis Center of Excellence unless the Secretary, on the recommendation of the Under Secretary for Health, determines that such facility—

“(A) does not meet the requirements of subsection (c);

“(B) has not demonstrated effectiveness in carrying out the established purposes of such center; or

“(C) has not demonstrated the potential to carry out such purposes effectively in the reasonably foreseeable future; and

“(2) assure appropriate geographic distribution of such facilities.

“(c) MINIMUM REQUIREMENTS.—The Secretary may not designate a health care facility as a location for a center under subsection (a) unless—

“(1) the peer review panel established under subsection (d) determines that the proposal submitted by such facility is among those proposals which meet the highest competitive standards of scientific and clinical merit; and

“(2) the Secretary, upon the recommendation of the Under Secretary for Health, determines that the facility has (or may reasonably be anticipated to develop)—

“(A) an arrangement with an accredited medical school which provides education and training in neurology and with which such facility is affiliated under which residents receive education and training in innovative diagnosis and treatment of chronic neurodegenerative diseases and movement disorders, including Parkinson’s disease, or in the case of Multiple Sclerosis Centers, multiple sclerosis disease;

“(B) the ability to attract the participation of scientists who are capable of ingenuity and creativity in health-care research efforts;

“(C) a policymaking advisory committee composed of consumers and appropriate health care and research representatives of the facility and of the affiliated school or schools to advise the directors of such facility and such center on policy matters pertaining to the activities of such center during the period of the operation of such center;

“(D) the capability to conduct effectively evaluations of the activities of such center;

“(E) the capability to coordinate, as part of an integrated national system, education, clinical, and research activities within all facilities with such centers;

“(F) the capability to jointly develop a consortium of providers with interest in treating neurodegenerative diseases, including Parkinson’s disease, and other movement disorders, or multiple sclerosis in the case of Multiple Sclerosis Centers, at facilities without such centers in order to ensure better access to state of the art diagnosis, care, and education for neurodegenerative disorders, or in the case of Multiple Sclerosis Centers, autoimmune disease affecting the central nervous system throughout the health care system; and

“(G) the capability to develop a national repository in the health care system for the collection of data on health services delivered to veterans seeking care for neurodegenerative diseases, including Parkinson’s disease, and other movement disorders, or in the case of Multiple Sclerosis Centers, autoimmune disease affecting the central nervous system.

“(d) PANEL.—(1) The Under Secretary for Health shall establish a panel to assess the scientific and clinical merit of proposals that are submitted to the Secretary for the establishment of new centers under this section.

“(2)(A) The membership of the panel shall consist of experts in neurodegenerative diseases, including Parkinson’s disease and other movement disorders, and, in the case of Multiple Sclerosis Centers, experts in autoimmune disease affecting the central nervous system.

“(B) Members of the panel shall serve as consultants to the Department for a period of no longer than 2 years except in the case of panelists asked to serve on the initial panel as specified in subparagraph (C).

“(C) In order to ensure panel continuity, half of the members of the first panel shall be appointed for a period of 3 years and half for a period of 2 years.

“(3) The panel shall review each proposal submitted to the panel by the Under Secretary and shall submit its views on the relative scientific and clinical merit of each such proposal to the Under Secretary.

“(4) The panel shall not be subject to the Federal Advisory Committee Act.

“(e) ADEQUATE FUNDING.—Before providing funds for the operation of any such center at a health care facility other than a health care facility designated under subsection (b)(1), the Secretary shall ensure that—

“(1) the Parkinson’s disease center at each facility designated under subsection (b)(1) is receiving adequate funding to enable such center to function effectively in the areas of Parkinson’s disease research, education, and clinical activities; and

“(2) in the case of a new Multiple Sclerosis Center, that existing centers are receiving adequate funding to enable such centers to function effectively in the areas of multiple sclerosis research, education, and clinical activities.

“(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated such sums as may be necessary for the support of the research and education activities of the centers established under subsection (a).

“(2) The Under Secretary for Health shall allocate to such centers from other funds appropriated generally for the Department medical services account and medical and prosthetics research account, as appropriate, such amounts as the Under Secretary for Health determines appropriate.

“(g) FUNDING ELIGIBILITY AND PRIORITY FOR PARKINSON’S DISEASE RESEARCH.—Activities of clinical and scientific investigation at each center established under subsection (a) for Parkinson’s disease shall—

“(1) be eligible to compete for the award of funding from funds appropriated for the Department medical and prosthetics research account; and

“(2) receive priority in the award of funding from such account to the extent funds are

awarded to projects for research in Parkinson's disease and other movement disorders.

"(h) **FUNDING ELIGIBILITY AND PRIORITY FOR MULTIPLE SCLEROSIS RESEARCH.**—Activities of clinical and scientific investigation at each center established under subsection (a) for multiple sclerosis shall—

"(1) be eligible to compete for the award of funding from funds appropriated for the Department medical and prosthetics research account; and

"(2) receive priority in the award of funding from such account to the extent funds are awarded to projects for research in multiple sclerosis and other movement disorders."

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 73 of title 38, United States Code, is amended by inserting after the item relating to section 7328 the following new item:

"7329. Parkinson's disease research, education, and clinical centers and multiple sclerosis centers of excellence."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2006.

**SEC. 402. REPEAL OF TERM OF OFFICE FOR THE UNDER SECRETARY FOR HEALTH AND THE UNDER SECRETARY FOR BENEFITS.**

(a) **UNDER SECRETARY FOR HEALTH.**—

(1) **IN GENERAL.**—Section 305 of title 38, United States Code, is amended by striking subsection (c).

(2) **CONFORMING AMENDMENT.**—Subsection (d) of such section is redesignated as subsection (c).

(b) **UNDER SECRETARY FOR BENEFITS.**—

(1) **IN GENERAL.**—Section 306 of title 38, United States Code, is amended by striking subsection (c).

(2) **CONFORMING AMENDMENT.**—Subsection (d) of such section is redesignated as subsection (c).

**SEC. 403. MODIFICATIONS TO EXISTING STATE HOME AUTHORITIES.**

(a) **NURSING HOME CARE AND PRESCRIPTION MEDICATIONS IN STATE HOMES FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.**—

(1) **NURSING HOME CARE.**—Subchapter V of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

**"§1745. Nursing home care and medications for veterans with service-connected disabilities**

"(a)(1) The Secretary shall pay each State home for nursing home care at the rate determined under paragraph (2), where such care is provided to any veteran as follows:

"(A) Any veteran in need of such care for a service-connected disability.

"(B) Any veteran who—

"(i) has a service-connected disability rated at 70 percent or more; and

"(ii) is in need of such care.

"(2) The rate determined under this paragraph with respect to a State home is the lesser of—

"(A) the applicable or prevailing rate payable in the geographic area in which the State home is located, as determined by the Secretary, for nursing home care furnished in a non-Department nursing home (as that term is defined in section 1720(e)(2)); or

"(B) a rate not to exceed the daily cost of care, as determined by the Secretary, following a report to the Secretary by the director of the State home.

"(3) Payment by the Secretary under paragraph (1) to a State home for nursing home care provided to a veteran described in that paragraph constitutes payment in full to the State home for such care furnished to that veteran."

(2) **PROVISION OF PRESCRIPTION MEDICINES.**—Such section, as so added, is further amended by adding at the end the following new subsection:

"(b) The Secretary shall furnish such drugs and medicines as may be ordered on prescription of a duly licensed physician as specific therapy

in the treatment of illness or injury to any veteran as follows:

"(1) Any veteran who—

"(A) is not being provided nursing home care for which payment is payable under subsection (a); and

"(B) is in need of such drugs and medicines for a service-connected disability.

"(2) Any veteran who—

"(A) has a service-connected disability rated at 50 percent or more;

"(B) is not being provided nursing home care for which payment is payable under subsection (a); and

"(C) is in need of such drugs and medicines."

(3) **CONFORMING AMENDMENTS.**—

(A) **CRITERIA FOR PAYMENT.**—Section 1741(a)(1) of such title is amended by striking "The" and inserting "Except as provided in section 1745 of this title, the".

(B) **ELIGIBILITY FOR NURSING HOME CARE.**—Section 1710(a)(4) of such title is amended—

(i) by striking "and" before "the requirement in section 1710B of this title"; and

(ii) by inserting ", and the requirement in section 1745 of this title to provide nursing home care and prescription medicines to veterans with service-connected disabilities in State homes" after "a program of extended care services".

(4) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1744 the following new item:

"1745. Nursing home care and medications for veterans with service-connected disabilities."

(5) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect 90 days after the date of the enactment of this Act.

(b) **IDENTIFICATION OF VETERANS IN STATE HOMES.**—Such chapter is further amended—

(1) in section 1745, as added by subsection (a)(1) of this section, by adding at the end the following new subsection:

"(c) Any State home that requests payment or reimbursement for services provided to a veteran under this section shall provide to the Secretary such information as the Secretary considers necessary to identify each individual veteran eligible for payment under such section."; and

(2) in section 1741, by adding at the end the following new subsection:

"(f) Any State home that requests payment or reimbursement for services provided to a veteran under this section shall provide to the Secretary such information as the Secretary considers necessary to identify each individual veteran eligible for payment under such section."

(c) **AUTHORITY TO TREAT CERTAIN HEALTH FACILITIES AS STATE HOMES.**—

(1) **AUTHORITY.**—Subchapter III of chapter 81 of title 38, United States Code, is amended by adding at the end the following new section:

**"§8138. Treatment of certain health facilities as State homes**

"(a) The Secretary may treat a health facility, or certain beds in a health facility, as a State home for purposes of subchapter V of chapter 17 of this title if the following requirements are met:

"(1) The facility, or certain beds in such facility, meets the standards for the provision of nursing home care that is applicable to State homes, as prescribed by the Secretary under section 8134(b) of this title, and such other standards relating to the facility, or certain beds in such facility, as the Secretary may require.

"(2) The facility, or certain beds in such facility, is licensed or certified by the appropriate State and local agencies charged with the responsibility of licensing or otherwise regulating or inspecting State home facilities.

"(3) The State demonstrates in an application to the Secretary that, but for the treatment of a facility (or certain beds in such facility), as a State home under this subsection, a substantial number of veterans residing in the geographic area in which the facility is located who require

nursing home care will not have access to such care.

"(4) The Secretary determines that the treatment of the facility, or certain beds in such facility, as a State home best meets the needs of veterans for nursing home care in the geographic area in which the facility is located.

"(5) The Secretary approves the application submitted by the State with respect to the facility, or certain beds in such facility.

"(b) The Secretary may not treat a health facility, or certain beds in a health facility, as a State home under subsection (a) if the Secretary determines that such treatment would increase the number of beds allocated to the State in excess of the limit on the number of beds provided for by regulations prescribed under section 8134(a) of this title.

"(c) The number of beds occupied by veterans in a health facility for which payment may be made under subchapter V of chapter 17 of this title by reason of subsection (a) shall not exceed—

"(1) 100 beds in the aggregate for all States; and

"(2) in the case of any State, the difference between—

"(A) the number of veterans authorized to be in beds in State homes in such State under regulations prescribed under section 8134(a) of this title; and

"(B) the number of veterans actually in beds in State homes (other than facilities or certain beds treated as State homes under subsection (a)) in such State under regulations prescribed under such section.

"(d) The number of beds in a health facility in a State that has been treated as a State home under subsection (a) shall be taken into account in determining the unmet need for beds for State homes for the State under section 8134(d)(1) of this title.

"(e) The Secretary may not treat any new health facilities, or any new certain beds in a health facility, as a State home under subsection (a) after September 30, 2009."

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 8137 the following new item:

"8138. Treatment of certain health facilities as State homes."

**SEC. 404. OFFICE OF RURAL HEALTH.**

(a) **ESTABLISHMENT.**—There is established in the Department of Veterans Affairs within the Office of the Undersecretary for Health an office to be known as the "Office of Rural Health" (in this section referred to as the "Office").

(b) **HEAD.**—The Director of the Office of Rural Health shall be the head of the Office. The Director of the Office of Rural Health shall be appointed by the Under Secretary of Health from among individuals qualified to perform the duties of the position.

(c) **FUNCTIONS.**—The functions of the Office are as follows:

(1) In cooperation with the medical, rehabilitation, health services, and cooperative studies research programs in the Office of Policy and the Office of Research and Development of the Veterans Health Administration, to assist the Under Secretary for Health in conducting, coordinating, promoting, and disseminating research into issues affecting veterans living in rural areas.

(2) To work with all personnel and offices of the Department of Veterans Affairs to develop, refine, and promulgate policies, best practices, lessons learned, and innovative and successful programs to improve care and services for veterans who reside in rural areas of the United States.

(3) To designate in each Veterans Integrated Service Network (VISN) an individual who shall

consult on and coordinate the discharge in such Network of programs and activities of the Office for veterans who reside in rural areas of the United States.

(4) To assess, in accordance with subsection (d), the effects of the implementation of the fee-basis health care program of the Veterans Health Administration on the delivery of health care services to veterans who reside in rural areas of the United States.

(5) To perform such other functions and duties as the Secretary of Veterans Affairs or the Under Secretary for Health consider appropriate.

(d) **ASSESSMENT OF FEE-BASIS HEALTH CARE PROGRAM.**—The Director of the Office shall, in consultation with the individuals designated under subsection (c)(3), conduct an assessment of the effects of the implementation of the fee-basis health care program of the Veterans Health Administration on the delivery of health care services to veterans who reside in rural areas of the United States. In conducting the assessment, the Director shall—

(1) evaluate the effects of the fee-basis health care program on the delivery of health care services to veterans who reside in rural areas of the United States;

(2) identify various mechanisms for expanding the program in order to enhance and improve health care services for such veterans and determine the feasibility and advisability of implementing such mechanisms; and

(3) for each mechanism determined under paragraph (2) to be feasible and advisable to implement, make recommendations to the Under Secretary for Health on the implementation of such mechanism.

**SEC. 405. PILOT PROGRAM ON IMPROVEMENT OF CAREGIVER ASSISTANCE SERVICES.**

(a) **IN GENERAL.**—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of various mechanisms to expand and improve caregiver assistance services.

(b) **DURATION OF PILOT PROGRAM.**—The pilot program required by subsection (a) shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(c) **CAREGIVER ASSISTANCE SERVICES.**—For purposes of this section, the term “caregiver assistance services” are services of the Department of Veterans Affairs that assist caregivers of veterans, including veterans of the Global War on Terrorism. Such services including the following:

- (1) Adult-day health care services.
- (2) Coordination of services needed by veterans, including services for readjustment and rehabilitation.
- (3) Transportation services.
- (4) Caregiver support services, including education, training, and certification of family members in caregiver activities.
- (5) Home care services.
- (6) Respite care.
- (7) Hospice services.
- (8) Any modalities of non-institutional long-term care.

(d) **FUNDING.**—

(1) **SOURCE OF FUNDS.**—In carrying out the program required by subsection (a), the Secretary shall identify, from funds available to the Department of Veterans Affairs for medical care, an amount not less than \$5,000,000 to be available for the fiscal year that includes the date of the enactment of this Act, to carry out the pilot program and to be allocated to facilities of the Department pursuant to subsection (e). Such amount shall be available without fiscal year limitation.

(2) **MINIMUM ALLOCATION OF FUNDS.**—In identifying available amounts pursuant to paragraph (1), the Secretary shall ensure that, after the allocation of funds under subsection (e), the total expenditure for programs in support of

caregiver assistance services is not less than \$5,000,000 in excess of the baseline amount.

(3) **BASELINE AMOUNT.**—For purposes of paragraph (2), the baseline amount is the amount of the total expenditures on programs in support of caregiver assistance services for veterans for the most recent fiscal year for which final expenditure amounts are known, adjusted to reflect any subsequent increase in applicable costs to support such services through the Veterans Health Administration.

(e) **ALLOCATION OF FUNDS TO FACILITIES.**—The Secretary shall allocate funds identified pursuant to subsection (d)(1) to individual medical facilities of the Department in such amounts as the Secretary determines appropriate, based upon proposals submitted by such facilities for the use of such funds for improvements to the support of the provision of caregiver assistance services. Special consideration should be given to rural facilities, including those without a long-term care facility of the Department.

(f) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of this section, including—

(1) a description and assessment of the activities carried out under the pilot program;

(2) information on the allocation of funds to facilities of the Department under subsection (d); and

(3) a description of the improvements made with funds so allocated to the support of the provision of caregiver assistance services.

**TITLE V—HOMELESS VETERANS ASSISTANCE**

**SEC. 501. REAFFIRMATION OF NATIONAL GOAL TO END HOMELESSNESS AMONG VETERANS.**

(a) **REAFFIRMATION.**—Congress reaffirms the national goal to end chronic homelessness among veterans within a decade of the enactment of the Homeless Veterans Comprehensive Assistance Act of 2001 (Public Law 107-95; 115 Stat. 903).

(b) **REAFFIRMATION OF ENCOURAGEMENT OF COOPERATIVE EFFORTS.**—Congress reaffirms its encouragement, as specified in the Homeless Veterans Comprehensive Assistance Act of 2001 (Public Law 107-95; 115 Stat. 903), that all departments and agencies of the Federal, State, and local governments, quasi-governmental organizations, private and public sector entities, including community-based organizations, faith-based organizations, and individuals, work cooperatively to end chronic homelessness among veterans.

**SEC. 502. SENSE OF CONGRESS ON THE RESPONSE OF THE FEDERAL GOVERNMENT TO THE NEEDS OF HOMELESS VETERANS.**

It is the sense of Congress that—

(1) homelessness is a significant problem in the veterans community, and veterans are disproportionately represented among the homeless population;

(2) while many effective programs assist homeless veterans to become, once again, productive and self-sufficient members of their communities and society, all the essential services, assistance, and support that homeless veterans require are not currently provided;

(3) federally funded programs for homeless veterans should be held accountable for achieving clearly defined results;

(4) Federal efforts to assist homeless veterans should include prevention of homelessness;

(5) Federal efforts regarding homeless veterans should be particularly vigorous where women veterans have minor children in their care;

(6) Federal agencies, particularly the Department of Veterans Affairs, the Department of Labor, and the Department of Housing and Urban Development, should cooperate more fully to address the problem of homelessness among veterans; and

(7) the programs reauthorized by this title provide important housing and services to homeless veterans.

**SEC. 503. AUTHORITY TO MAKE GRANTS FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.**

(a) **PERMANENT AUTHORITY.**—Section 2011(a) of title 38, United States Code, is amended—

(1) by striking paragraph (2); and

(2) in paragraph (1)—

(A) by striking “(1)”; and

(B) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—The text of section 2013 of such title is amended to read as follows: “There is authorized to be appropriated, to carry out this subchapter, \$130,000,000 for fiscal year 2007 and each fiscal year thereafter.”

**SEC. 504. EXTENSION OF TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.**

(a) **EXTENSION OF AUTHORITY FOR GENERAL TREATMENT.**—Section 2031(b) of title 38, United States Code, is amended by striking “2006” and inserting “2011”.

(b) **EXTENSION OF AUTHORITY FOR ADDITIONAL SERVICES.**—Section 2033(d) of such title is amended by striking “2006” and inserting “2011”.

**SEC. 505. EXTENSION OF AUTHORITY FOR TRANSFER OF PROPERTIES OBTAINED THROUGH FORECLOSURE OF HOME MORTGAGES.**

Section 2041(c) of title 38, United States Code, is amended by striking “2008” and inserting “2011”.

**SEC. 506. EXTENSION OF FUNDING FOR GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.**

Section 2061(c)(1) of title 38, United States Code, is amended by striking “2003, 2004, and 2005, \$5,000,000” and inserting “2007 through 2011, \$7,000,000”.

**SEC. 507. EXTENSION OF FUNDING FOR HOMELESS VETERAN SERVICE PROVIDER TECHNICAL ASSISTANCE PROGRAM.**

Subsection (b) of section 2064 of title 38, United States Code, is amended to read as follows:

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$1,000,000 for each of fiscal years 2007 through 2012 to carry out the program under this section.”

**SEC. 508. ADDITIONAL ELEMENT IN ANNUAL REPORT ON ASSISTANCE TO HOMELESS VETERANS.**

Section 2065(b) of title 38, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) Information on the efforts of the Secretary to coordinate the delivery of housing and services to homeless veterans with other Federal departments and agencies, including—

“(A) the Department of Defense;

“(B) the Department of Health and Human Services;

“(C) the Department of Housing and Urban Development;

“(D) the Department of Justice;

“(E) the Department of Labor;

“(F) the Interagency Council on Homelessness;

“(G) the Social Security Administration; and

“(H) any other Federal department or agency with which the Secretary coordinates the delivery of housing and services to homeless veterans.”



**SEC. 509. ADVISORY COMMITTEE ON HOMELESS VETERANS.**

(a) **ADDITIONAL EX OFFICIO MEMBERS.**—Subsection (a)(3) of section 2066 of title 38, United States Code, is amended by adding at the end the following new subparagraphs:

“(E) The Executive Director of the Inter-agency Council on Homelessness (or a representative of the Executive Director).”

“(F) The Under Secretary for Health (or a representative of the Under Secretary after consultation with the Director of the Office of Homeless Veterans Programs).”

“(G) The Under Secretary for Benefits (or a representative of the Under Secretary after consultation with the Director of the Office of Homeless Veterans Programs).”

(b) **EXTENSION.**—Subsection (d) of such section is amended by striking “December 31, 2006” and inserting “September 30, 2011”.

**SEC. 510. RENTAL ASSISTANCE VOUCHERS FOR VETERANS AFFAIRS SUPPORTED HOUSING PROGRAM.**

(a) **FUNDING FOR VOUCHERS.**—Section 1837(o)(19)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)(B)) is amended to read as follows:

“(B) **AMOUNT.**—The amount specified in this subparagraph is—

“(i) for fiscal year 2007, the amount necessary to provide 500 vouchers for rental assistance under this subsection;

“(ii) for fiscal year 2008, the amount necessary to provide 1,000 vouchers for rental assistance under this subsection;

“(iii) for fiscal year 2009, the amount necessary to provide 1,500 vouchers for rental assistance under this subsection;

“(iv) for fiscal year 2010, the amount necessary to provide 2,000 vouchers for rental assistance under this subsection; and

“(v) for fiscal year 2011, the amount necessary to provide 2,500 vouchers for rental assistance under this subsection.”

(b) **ELIMINATION OF FUNDING THROUGH INCREMENTAL ASSISTANCE.**—Subparagraph (C) of section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)(C)) is repealed.

(c) **STUDY OF EFFECTIVENESS OF VOUCHERS.**—

(1) **IN GENERAL.**—For fiscal years 2007 and 2008, the Secretary of Veterans Affairs shall conduct a study of the effectiveness of the voucher program under section 8(o)(19)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)(B)), as amended by subsection (a), in meeting the housing and case management needs of homeless veterans who—

(A) have a chronic mental illnesses or chronic substance use disorder; and

(B) are participating in continuing treatment for such mental illness or substance use disorder as a condition of receipt of such rental assistance.

(2) **COMPARISON.**—As part of the study required by paragraph (1) the Secretary shall compare the results of the program described in that paragraph with other programs as follows:

(A) Programs in which the Department of Veterans Affairs coordinates the delivery of housing and services to homeless veterans.

(B) Programs for the provision of grants or per diem payments to providers of services that are designed to meet the needs of homeless veterans.

(3) **CRITERIA.**—In conducting the comparison required by paragraph (2), the Secretary shall examine the following:

(A) The satisfaction of veterans targeted by the programs described in paragraph (2).

(B) The health status of such veterans.

(C) For programs that address substance use disorders, the reduction in severity of such disorders in such veterans.

(D) The housing provided such veterans under such programs.

(E) The degree to which such veterans are encouraged to productive activity by such programs.

(4) **REPORT.**—Not later than March 31, 2009, the Secretary shall submit to the Committee on

Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by paragraph (1).

**SEC. 511. FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.**

(a) **PURPOSE.**—The purpose of this section is to facilitate the provision of supportive services for very low-income veteran families in permanent housing.

(b) **FINANCIAL ASSISTANCE.**—

(1) **IN GENERAL.**—Subchapter V of chapter 20 of title 38, United States Code, is amended by adding at the end the following new section:

**“§2044. Financial assistance for supportive services for very low-income veteran families in permanent housing**

“(a) **DISTRIBUTION OF FINANCIAL ASSISTANCE.**—(1) The Secretary shall provide financial assistance to eligible entities approved under this section to provide and coordinate the provision of supportive services described in subsection (b) for very low-income veteran families occupying permanent housing.

“(2) Financial assistance under this section shall consist of per diem payments for each such family for which an approved eligible entity is providing or coordinating the provision of supportive services.

“(3)(A) Subject to the availability of appropriations provided for such purpose, the Secretary shall provide to each family for which an approved eligible entity is providing or coordinating the provision of supportive services per diem payments in the amount of the daily cost of care estimated by such eligible entity (as adjusted by the Secretary under subparagraph (C)).

“(B) In no case may the amount of per diem paid under this paragraph exceed the rate of per diem authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of this title, as adjusted by the Secretary under subsection (c) of such section.

“(C) The Secretary may adjust the daily cost of care estimated by an eligible entity for purposes of this paragraph to exclude other sources of income described in subparagraph (E) that the eligible entity certifies to be correct.

“(D) Each eligible entity shall provide to the Secretary such information with respect to other sources of income as the Secretary may require to make the adjustment under subparagraph (C).

“(E) The other sources of income referred to in subparagraphs (C) and (D) are payments to the eligible entity for furnishing services to homeless veterans under programs other than under this subchapter, including payments and grants from other departments and agencies of the Federal Government, from departments or agencies of State or local government, and from private entities or organizations.

“(4) In providing financial assistance under paragraph (1), the Secretary shall give preference to entities providing or coordinating the provision of supportive services for very low-income veteran families who are transitioning from homelessness to permanent housing.

“(5) The Secretary shall ensure that, to the extent practicable, financial assistance under this subsection is equitably distributed across geographic regions, including rural communities and tribal lands.

“(6) Each entity receiving financial assistance under this section to provide supportive services to a very low-income veteran family shall notify that family that such services are being paid for, in whole or in part, by the Department.

“(7) The Secretary may require entities receiving financial assistance under this section to submit a report to the Secretary that describes the projects carried out with such financial assistance.

“(b) **SUPPORTIVE SERVICES.**—The supportive services referred to in subsection (a) are the following:

“(1) Services provided by an eligible entity or subcontractors that address the needs of very low-income veteran families occupying permanent housing, including—

“(A) outreach services;

“(B) health care services, including diagnosis, treatment, and counseling for mental health and substance abuse disorders and for post-traumatic stress disorder, if such services are not readily available through the Department medical center serving the geographic area in which the veteran family is housed;

“(C) habilitation and rehabilitation services;

“(D) case management services;

“(E) daily living services;

“(F) personal financial planning;

“(G) transportation services;

“(H) vocational counseling;

“(I) employment and training;

“(J) educational services;

“(K) assistance in obtaining veterans benefits and other public benefits, including health care provided by the Department;

“(L) assistance in obtaining income support;

“(M) assistance in obtaining health insurance;

“(N) fiduciary and representative payee services;

“(O) legal services to assist the veteran family with reconsiderations or appeals of veterans and public benefit claim denials and to resolve outstanding warrants that interfere with the family's ability to obtain or retain housing or supportive services;

“(P) child care;

“(Q) housing counseling;

“(R) other services necessary for maintaining independent living; and

“(S) coordination of services under this paragraph.

“(2) Services described in paragraph (1) that are delivered to very low-income veteran families who are homeless and who are scheduled to become residents of permanent housing within 90 days pending the location or development of housing suitable for permanent housing.

“(3) Services described in paragraph (1) for very low-income veteran families who have voluntarily chosen to seek other housing after a period of tenancy in permanent housing, that are provided, for a period of 90 days after such families exit permanent housing or until such families commence receipt of other housing services adequate to meet their current needs, but only to the extent that services under this paragraph are designed to support such families in their choice to transition into housing that is responsive to their individual needs and preferences.

“(c) **APPLICATION FOR FINANCIAL ASSISTANCE.**—(1) An eligible entity seeking financial assistance under subsection (a) shall submit an application to the Secretary in such form, in such manner, and containing such commitments and information as the Secretary determines to be necessary to carry out this section.

“(2) Each application submitted by an eligible entity under paragraph (1) shall contain—

“(A) a description of the supportive services proposed to be provided by the eligible entity;

“(B) a description of the types of very low-income veteran families proposed to be provided such services;

“(C) an estimate of the number of very low-income veteran families proposed to be provided such services;

“(D) evidence of the experience of the eligible entity in providing supportive services to very low-income veteran families; and

“(E) a description of the managerial capacity of the eligible entity to—

“(i) coordinate the provision of supportive services with the provision of permanent housing, by the eligible entity or by other organizations;

“(ii) continuously assess the needs of very low-income veteran families for supportive services;

“(iii) coordinate the provision of supportive services with the services of the Department;

“(iv) tailor supportive services to the needs of very low-income veteran families; and

“(v) continuously seek new sources of assistance to ensure the long-term provision of supportive services to very low-income veteran families.

“(3) The Secretary shall establish criteria for the selection of eligible entities to be provided financial assistance under this section.

“(d) TECHNICAL ASSISTANCE.—(1) The Secretary shall provide training and technical assistance to participating eligible entities regarding the planning, development, and provision of supportive services to very low-income veteran families occupying permanent housing.

“(2) The Secretary may provide the training described in paragraph (1) directly or through grants or contracts with appropriate public or nonprofit private entities.

“(e) FUNDING.—(1) From amounts appropriated to the Department for Medical Care, there shall be available to carry out this section amounts as follows:

“(A) \$15,000,000 for fiscal year 2007.

“(B) \$20,000,000 for fiscal year 2008.

“(C) \$25,000,000 for fiscal year 2009.

“(2) Not more than \$750,000 may be available under paragraph (1) in any fiscal year to provide technical assistance under subsection (d).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘consumer cooperative’ has the meaning given such term in section 202 of the Housing Act of 1959 (12 U.S.C. 1701g).

“(2) The term ‘eligible entity’ means—

“(A) a private nonprofit organization; or

“(B) a consumer cooperative.

“(3) The term ‘homeless’ has the meaning given that term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

“(4) The term ‘permanent housing’ means community-based housing without a designated length of stay.

“(5) The term ‘private nonprofit organization’ means any of the following:

“(A) Any incorporated private institution or foundation—

“(i) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

“(ii) which has a governing board that is responsible for the operation of the supportive services provided under this section; and

“(iii) which is approved by the Secretary as to financial responsibility;

“(B) A for-profit limited partnership, the sole general partner of which is an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

“(C) A corporation wholly owned and controlled by an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

“(D) A tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)).

“(6)(A) Subject to subparagraphs (B) and (C), the term ‘very low-income veteran family’ means a veteran family whose income does not exceed 50 percent of the median income for the area, as determined by the Secretary in accordance with this paragraph.

“(B) The Secretary shall make appropriate adjustments to the income requirement under subparagraph (A) based on family size.

“(C) The Secretary may establish an income ceiling higher or lower than 50 percent of the median income for an area if the Secretary determines that such variations are necessary because the area has unusually high or low construction costs, fair market rents (as determined under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)), or family incomes.

“(7) The term ‘veteran family’ includes a veteran who is a single person and a family in

which the head of household or the spouse of the head of household is a veteran.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by inserting after the item relating to section 2043 the following new item:

“2044. Financial assistance for supportive services for very low-income veteran families in permanent housing.”

(c) STUDY OF EFFECTIVENESS OF PERMANENT HOUSING PROGRAM.—

(1) IN GENERAL.—For fiscal years 2007 and 2008, the Secretary shall conduct a study of the effectiveness of the permanent housing program under section 2044 of title 38, United States Code, as amended by subsection (b), in meeting the needs of very low-income veteran families, as that term is defined in that section.

(2) COMPARISON.—In the study required by paragraph (1), the Secretary shall compare the results of the program referred to in that subsection with other programs of the Department of Veterans Affairs dedicated to the delivery of housing and services to veterans.

(3) CRITERIA.—In making the comparison required in paragraph (2), the Secretary shall examine the following:

(A) The satisfaction of veterans targeted by the programs described in paragraph (2).

(B) The health status of such veterans.

(C) The housing provided such veterans under such programs.

(D) The degree to which such veterans are encouraged to productive activity by such programs.

(4) REPORT.—Not later than March 31, 2009, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by paragraph (1).

#### TITLE VI—MISCELLANEOUS BENEFITS

##### SEC. 601. RESIDENTIAL COOPERATIVE HOUSING UNITS.

(a) HOUSING BENEFITS FOR COOPERATIVE APARTMENT UNITS.—Subsection (a) of section 3710 of title 38, United States Code, is amended by inserting after paragraph (11) the following new paragraph:

“(12) To purchase stock or membership in a cooperative housing corporation for the purpose of entitling the veteran to occupy for dwelling purposes a single family residential unit in a development, project, or structure owned or leased by such corporation, in accordance with subsection (h).”

(b) CONDITIONS OF HOUSING BENEFITS FOR COOPERATIVE APARTMENT UNITS.—Such section is further amended by adding at the end the following new subsection:

“(h)(1) A loan may not be guaranteed under subsection (a)(12) unless—

“(A) the development, project, or structure of the cooperative housing corporation complies with such criteria as the Secretary prescribes in regulations; and

“(B) the dwelling unit that the purchase of stock or membership in the development, project, or structure of the cooperative housing corporation entitles the purchaser to occupy is a single family residential unit.

“(2) In this subsection, the term ‘cooperative housing corporation’ has the same meaning given such term in section 216(b)(1) of the Internal Revenue Code of 1986.

“(3) When applying the term ‘value of the property’ to a loan guaranteed under subsection (a)(12), such term means the appraised value of the stock or membership entitling the purchaser to the permanent occupancy of the dwelling unit in the development, project, or structure of the cooperative housing corporation.”

##### SEC. 602. INCREASE IN SUPPLEMENTAL INSURANCE FOR TOTALLY DISABLED VETERANS.

Section 1922A(a) of title 38, United States Code, is amended by striking “\$20,000” and inserting “\$30,000, during the period beginning on

October 1, 2007, and ending on September 31, 2011, or \$20,000 at any other time”.

##### SEC. 603. REAUTHORIZATION OF USE OF CERTAIN INFORMATION FROM OTHER AGENCIES.

(a) INFORMATION FROM SECRETARY OF THE TREASURY OR COMMISSIONER OF SOCIAL SECURITY.—Section 5317(g) of title 38, United States Code, is amended by striking “September 30, 2008” and inserting “September 30, 2011”.

(b) TAX RETURNS AND TAX RETURN INFORMATION.—The last sentence of section 6103(l)(7) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2008” and inserting “September 30, 2011”.

##### SEC. 604. CLARIFICATION OF CORRECTIONAL FACILITIES COVERED BY CERTAIN PROVISIONS OF LAW.

(a) PAYMENT OF PENSION DURING CONFINEMENT IN PENAL INSTITUTIONS.—Section 1505(a) of title 38, United States Code, is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(b) ALLOWANCES FOR TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.—Section 3108(g)(1) of such title is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(c) EDUCATIONAL ASSISTANCE BENEFITS FOR POST-VIETNAM ERA VETERANS.—Section 3231(d)(1) of such title is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(d) COMPUTATION OF EDUCATIONAL ASSISTANCE ALLOWANCES FOR VETERANS GENERALLY.—Section 3482(g)(1) of such title is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(e) COMPUTATION OF EDUCATIONAL ASSISTANCE ALLOWANCE FOR SURVIVORS AND DEPENDENTS.—Section 3532(e) of such title is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(f) LIMITATION ON PAYMENT OF COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.—Section 5313 of such title is amended—

(1) in subsection (a)(1), by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”;

(2) in subsection (b)(3), by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”; and

(3) in subsection (c), by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

(g) LIMITATION ON PAYMENT OF CLOTHING ALLOWANCE.—Section 5313A of such title is amended by striking “or local penal institution” and inserting “local, or other penal institution or correctional facility”.

Amend the title so as to read: “To amend title 38, United States Code, to remove certain limitations on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, to make certain improvements in the area of memorial affairs, and for other purposes.”

Mr. CRAIG. Mr. President, I have sought recognition to comment on comprehensive, bipartisan legislation reported from the Committee on Veterans' Affairs and now awaiting full Senate approval. S. 2694, the Veterans' Choice of Representation and Benefits Enhancement Act of 2006, contains 28 provisions representing the collective



work of 44 Senators who either sponsored or cosponsored bills that were incorporated into this important legislation.

S. 2694 includes provisions that would improve educational assistance benefits for veterans and their survivors; reauthorize and enhance various programs of assistance for homeless veterans; reduce nursing home and prescription medication costs for service-disabled veterans residing in State veterans' nursing homes; enhance memorial affairs benefits and preserve the character of Arlington National Cemetery as a shrine for our honored dead; and, as the bill's title suggests, provide veterans with the freedom to hire attorneys to represent them during the VA claims process. I will take a few minutes to describe the sections of the bill that I sponsored, none I am more proud of than the choice of representation provision. For a full accounting of all of S. 2694's provisions, I ask my colleagues to read Senate Report 109-297.

Currently, veterans and other claimants seeking veterans' benefits may not hire an attorney until the VA administrative proceedings have been completed a process that often takes several years. That law flows from a Civil War era policy intended to protect veterans from unscrupulous attorneys. That policy arose at a time—unlike today—when attending law school was not required to become a lawyer and there was no effective professional oversight of lawyers.

In recent months, it has become abundantly clear that many veterans and their survivors want the option of hiring an attorney to help them navigate the increasingly complex VA system. In fact, the prohibition against veterans hiring attorneys is considered to be unfair and outdated by a broad spectrum of individuals and organizations, including veterans' organizations, veterans' advocates, judges, law professors, and bar associations.

For these reasons, I joined with Senator LINDSEY GRAHAM in introducing legislation to end the outdated, paternalistic restriction on the freedoms of veterans. Section 101 of S. 2694 would repeal the existing prohibition against veterans hiring attorneys to help them obtain benefits from VA. I am delighted that we are closer to doing away with this outdated law and allowing veterans like all other adults in this Nation—to have the assistance of counsel if they so choose.

Title V of S. 2694 represents the first effort in 5 years to enact comprehensive homeless veterans' assistance legislation. Five years ago, Congress set an ambitious goal to end homelessness among veterans by 2011. I am not one who sets goals lightly, especially one so important. Therefore, I joined with Senators AKAKA, BURR AND OBAMA to craft the provisions in title V which will both improve services for homeless veterans, and help prevent chronic homelessness among our servicemen and women returning from the war on terror. Among other things, this meas-

ure would extend the authorization of appropriations for comprehensive services for homeless veterans, reauthorize a grant program for homeless veterans with special needs, and extend the authority of the Advisory Committee on Homeless Veterans. It would also extend the authority of VA to transfer properties it obtains after foreclosures on homes financed with VA-guaranteed loans to organizations which assist homeless veterans and their families in acquiring shelter. Finally, the bill would authorize appropriations for a program designed to prevent homelessness by providing financial assistance to eligible entities to provide and coordinate the provision of supportive services for very low-income veteran families occupying permanent housing.

I want to be clear, however, that I will be monitoring whether these programs are having the effect we expect them to. In March, I held a hearing on the needs of homeless veterans, at which VA, its Federal partners, and community-based service providers to the homeless testified about what is working, what isn't, what duplication might be eliminated, and where deficiencies exist that must be addressed. We learned that more than a half dozen Federal agencies will devote over \$2 billion to homelessness. VA alone will spend upward of \$221 million on grants, housing and treatment of underlying conditions. In fact, the fiscal year 2007 budget for VA will support a record level of funding for the sixth straight year for targeted programs for homeless veterans. Plainly stated, we cannot afford to waste any money. We must ensure that our resources are invested carefully so that homeless veterans can resume their self-sufficiency and independence.

Section 402 of S. 2694 is derived from legislation I introduced that would remove the four-year limit on the terms for the positions of Under Secretary for Health and Under Secretary for Benefits at VA. When the term limits were originally created, I think we all hoped that they would allow the two officials to serve four consecutive years without any political considerations, regardless of whether the service was in different administrations or under different VA leadership. History, however, has shown us that new administrations or even new VA leadership within the same administration often bring new people at all levels of government, including the two Under Secretary positions. In fact, the last three Under Secretaries for Health and the previous Under Secretary for Benefits did not complete a full 4-year term. Therefore, this provision would eliminate what are, in effect, limits on terms that serve no useful purpose.

The last of the provisions I sponsored touches on a subject that most of my colleagues likely remember. Last summer, we learned that the remains of a brutal murderer—Russell Wayne Wagner—were placed in the Nation's pre-eminent military cemetery, Arlington National Cemetery. I was appalled to

discover that the law enacted in 1997 to deny capital offenders from burial in national cemeteries did not apply to Wagner. While we moved swiftly to close the loophole that permitted Wagner's burial in the first place, the question remained: should his remains continue to be included among the scores of honored dead in Arlington? For me and Senator MIKULSKI, the answer was "no." That is why we sponsored legislation now contained in section 202 of S. 2694 which would direct the Secretary of the Army to remove Wagner's remains from Arlington. As I stated last summer, we must not dishonor the sacrifices made by those memorialized at our Nation's military cemeteries by including among them individuals who, through their own heinous acts, have grievously dishonored themselves.

Mr. President, I want to thank all of the members of the committee and other Senators who worked so diligently on this bill. In particular, I commend the committee's anking member, Senator AKAKA. I have said it before and I'll repeat it today, Hawaii's veterans are fortunate to have Senator AKAKA as their advocate. It is been a pleasure working with him.

In closing, I ask for the support of the Senate in adopting S. 2694. It is an important, historic piece of legislation that will respect the freedoms won by our veterans on the battlefield, and will improve benefits available to them when they return home from it.

Mr. AKAKA. Mr. President, as ranking member of the Committee on Veterans' Affairs, I am pleased that the Senate on S. 2694, an omnibus veterans bill. This timely piece of legislation includes a number of important provisions that will improve the health care and benefits that our Nation's veterans deserve. I will highlight a few sections in which I have a particular interest.

This legislation specifically seeks to improve the way VA responds to the present and future demand for long-term care. As the veteran population ages, the demand for long-term care continues to rise, a trend that will only continue as Vietnam-era veterans get older.

With the goal of encouraging and supporting alternatives to institutional long-term care, the pending legislation includes provisions derived from S. 2753, a bill I introduced that was designed to promote assistance to those who look after veterans, especially in noninstitutional, home-based settings. The provision in the bill as it comes before the Senate today would authorize VA to carry out a pilot program to improve assistance services to these caregivers. Caregivers, particularly those who live in rural and geographically remote areas, would receive a helping hand through services such as adult-day care and respite care.

The pending measure also seeks to ensure more appropriate payment for the cost of longterm care provided to

certain seriously disabled veterans who are receiving care in State veterans' homes. Earlier this year, the Committee held field hearings in my home state of Hawaii. Tom Driskill, the President and CEO of Hawaii Health Systems Corporation, testified about the soon-to-be-built State home in Hilo. He said, "The synergy of a combined Federal and State funding of the home has been the catalyst for making this dream a reality." The adjustments this legislation would make to the current cost-sharing arrangement between VA and the States, which are derived from S. 2762, legislation I introduced, may help ensure a high quality of care in State homes not only in Hawaii, but across the entire Nation.

Currently, care is provided at no cost to the veteran when VA provides institutional, long-term care services to those with service-connected disabilities rated 70 percent or higher in a VA nursing home or a private nursing care facility with which VA contracts. However, when the care is provided in a State veterans' home, VA pays only a per diem to the State, which then may bill the veteran for the remaining costs. I believe this to be unfair, and this legislation would provide for the same payment to State veterans' homes that is provided to community nursing homes which are furnishing care to these seriously disabled veterans.

I am gratified that this legislation includes extensive provisions to reauthorize, improve and enhance services for homeless veterans. I commend Senators OBAMA and BURR, both members of the Veterans' Affairs Committee, for their dedication to ensuring that comprehensive services are provided to homeless veterans. I fully support these efforts and stand with my colleagues in the battle to end homelessness among veterans.

This bill also includes a provision from a bill I introduced, S. 1537, that would authorize VA to designate at least two Multiple Sclerosis Centers of Excellence and six Parkinson's Disease Research, Education and Clinical Centers. VA centers of excellence have been the model of innovation in the delivery of highly specialized healthcare and research for chronic disease in the veteran population. Providing a statutory basis for these centers will ensure continued research and development of progressive treatments to help reduce symptoms and improve the quality of life for veterans battling with these neurological diseases.

The bill also includes a provision that would allow VA to extend eligibility of VA's State Cemetery Grants Program to tribal organizations. This change, derived from my bill, S. 2659, would allow for the establishment, expansion, and improvement of veterans' cemeteries on trust lands. If enacted, it will enable veterans living on trust lands to have an option for burial much closer to their family members and other loved ones.

This bill also includes a \$10,000 increase in the amount of supplemental insurance available to totally disabled veterans through the Service-Disabled Veterans' Insurance program. Totally disabled veterans would benefit greatly from the availability of higher supplemental coverage amounts because the current aggregate S-DVI coverage, \$30,000, is insufficient to meet disabled veterans' life insurance needs. This provision, which I authored, would increase the financial security of disabled veterans and their families.

In conclusion, I thank the Coalition to Salute America's Heroes, the National Multiple Sclerosis Society, the Parkinson's Action Network, and the National Association of State Veterans Homes for their hard work and support of provisions in this legislation.

I am pleased that our committee continues its tradition of bipartisanship. The effort that produced the final version of this legislation, vital to the continued provision of quality health care and benefits to our Nation's veterans, is just the latest example of that spirit.

I thank my colleagues in the Senate for their support of this measure.

Mr. FRIST. I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the title amendment be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2694), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The title amendment was agreed to.

#### 2005 DISTRICT OF COLUMBIA OMNIBUS AUTHORIZATION ACT

Mr. FRIST. I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 3508), as amended, was ordered to be engrossed for a third reading, was read the third time and passed.

H.R. 3508

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "2005 District of Columbia Omnibus Authorization Act".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—GOVERNANCE OF DISTRICT OF COLUMBIA

##### Subtitle A—General District of Columbia Governance

Sec. 101. Budget flexibility.

Sec. 102. Additional Authority to allocate amounts in Reserve Funds.

Sec. 103. Permitting General Services Administration to obtain space and services on behalf of District of Columbia Public Defender Service.

Sec. 104. Authority to enter into Interstate Insurance Product Regulation Compact.

Sec. 105. Metered taxicabs in the District of Columbia.

##### Subtitle B—District of Columbia Courts

Sec. 111. Modernization of Office of Register of Wills.

Sec. 112. Increase in cap on rates of pay for nonjudicial employees.

Sec. 113. Clarification of rate for individuals providing services to indigent defendants.

Sec. 114. Authority of Courts to conduct proceedings outside of District of Columbia during emergencies.

Sec. 115. Authority of Court Services and Offender Supervision Agency to use services of volunteers.

Sec. 116. Technical corrections relating to courts.

Sec. 117. Inclusion of court employees in enhanced dental and vision benefit program.

##### Subtitle C—Other Miscellaneous Technical Corrections

Sec. 121. 2004 District of Columbia Omnibus Authorization Act.

Sec. 122. District of Columbia Appropriations Act, 2005.

Sec. 123. Technical and conforming amendments relating to banks operating under the Code of Law for the District of Columbia.

Sec. 124. District of Columbia Schools fiscal year.

Sec. 125. Gifts to libraries.

#### TITLE II—INDEPENDENCE OF THE CHIEF FINANCIAL OFFICER

Sec. 201. Promoting independence of Chief Financial Officer.

Sec. 202. Personnel Authority.

Sec. 203. Procurement Authority.

Sec. 204. Fiscal impact statements.

#### TITLE III—AUTHORIZATION OF CERTAIN GENERAL APPROPRIATIONS PROVISIONS

Sec. 301. Acceptance of gifts by Court Services and Offender Supervision Agency.

Sec. 302. Evaluation process for public school employees.

Sec. 303. Clarification of application of pay provisions of Merit Personnel System to all District employees.

Sec. 304. Criteria for renewing or extending sole source contracts.

Sec. 305. Acceptance of grant amounts not included in annual budget.

Sec. 306. Standards for annual independent audit.

Sec. 307. Use of fines imposed for violation of traffic alcohol laws for enforcement and prosecution of laws.

Sec. 308. Certifications for attorneys in cases brought under Individuals With Disabilities Education Act.

#### TITLE I—GOVERNANCE OF DISTRICT OF COLUMBIA

##### Subtitle A—General District of Columbia Governance

#### SEC. 101. BUDGET FLEXIBILITY.

(a) *PERMITTING INCREASE IN AMOUNT APPROPRIATED AS LOCAL FUNDS DURING A FISCAL YEAR.*—Subpart 1 of part D of title IV of the